

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
CLERK'S OFFICE

2005 MAY 18 P 4:11

\* \* \* \* \*

Northeastern Graphic Supply, Inc.

Plaintiff

\*

\*

MBD NO. 05-10121

vs.

\*

Graphic Color Corporation, a division of  
Consolidated Color Corporation

Defendant

\*

\*

\* \* \* \* \*

MOTION FOR EXAMINATION OF DEFENDANT,  
JUDGMENT DEBTOR, BEFORE THIS COURT

Plaintiff, Northeastern Graphic Supply, Inc. moves the Court, pursuant to Fed. R. Civ. P.69(a) and Mass. Gen. Laws Ch. 224, §14 and §15, for leave to examine the Defendant, by Lawrence H. Cohen, the president of the Judgment Debtor before the Court as to the judgment debtor's property and its ability to pay. As grounds therefor, Plaintiff says as follows:

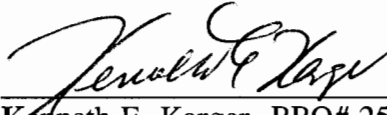
1. Plaintiff recovered judgment herein against Defendant/Judgment Debtor in Maine on January 4, 2005 in the amount of \$33,589.74, which was registered in this Court on March 21, 2005.

2. The First Execution which was issued on March 21, 2005 was delivered into the hands of the Essex County Sheriff's Office who by Deputy Sheriff Robert Owen made demand upon the Defendant on April 7, 2005 as certified by his return. (See Exhibit "A"). Said First Execution has been returned unsatisfied in any part and remains outstanding.

3. By filing this motion, Plaintiff seeks to utilize a remedy available to it.

4. In support thereof, see Memorandum in Support of Motion for Examination of Defendant/ Judgment Debtor Before this Court.

Northeastern Graphic Supply, Inc.  
By its Attorneys,

A handwritten signature in cursive script, appearing to read "Kenneth E. Karger", written over a horizontal line.

Kenneth E. Karger, BBO# 259880  
Karger Law Offices  
15 Court Square, Suite 230  
Boston, MA 02108  
617 367-2992

Dated: May 18, 2005

FIRST EXECUTION

CIVIL ACTION NO. MISC

05 MBD 10121

To the United States Marshal for the District of Massachusetts or either of her  
Deputies and to Essex Deputy Sheriffs and Middlesex Deputy Sheriffs, Special  
Process Server:

WHEREAS NORTHEASTERN GRAPHIC SUPPLY, INC. Plaintiff has  
recovered judgment against GRAPHIC COLOR CORPORATION, a division of  
CONSOLIDATED COLOR CORPORATION, Defendant on  
the 4th day of January, 192005, for the sum of  
\$ 33,589.74, debt or damage, pre-judgment interest in the  
amount of \$ 0, and costs of this suit in the amount  
of \$ N/A, as to us appears of record, whereof this First  
Execution remains to be done,

WE COMMAND YOU, therefore, that of the goods and chattels or lands of the  
said Judgment Debtor, to cause to be paid and satisfied unto the said Judgment  
Creditor, at the value thereof in money, the aforesaid sums, being a total of \$ 33,589.74,  
in the whole, with interest thereon at the rate of N/A  
from said day of rendition of said judgment; and thereof also to satisfy yourself  
for your own fees.

HEREOF FAIL NOT and make due return of this Writ with your doings  
thereon into the Clerk's Office of our said court, at Boston,  
Massachusetts, within Twenty (20) years after the date of said judgment, or within  
Ten (10) days after this Writ has been satisfied or discharged.

Dated this 21<sup>st</sup> day of MARCH, 192005



TONY ANASTAS, CLERK

By: [Signature]  
Deputy Clerk



Frank G. Cousins, Jr.  
Sheriff

*Essex County Sheriff's Department*  
*Division of Civil Process*

381 Common Street  
3rd Floor  
Lawrence, MA 01840



Telephone:  
(978) 683-7810  
Fax: (978) 683-8205  
www.eccf.com

Richard J. Roaf, Jr.  
Director

Robyn Clarke  
Office Manager

Essex SS

APRIL 19, 2005

By virtue of this execution, On **APRIL 7, 2005 at 11:53 FORENOON** I demanded of the within named **GRAPHIC COLOR CORPORATION a division of CONSOLIDATED COLOR CORPORATION**, Defendant(s), judgement, costs, and my fees, or that he exhibit to me real or personal property belonging to her subject to be taken on execution and sufficient to satisfy this execution, upon which I could levy and satisfy the same, by **Serving In Hand to LAWRENCE COHEN, PREISDENT** a copy of the within execution with my said demand endorsed thereon at **15 UNION STREET, LAWRENCE, MA.** and sufficient to satisfy the same, upon which I could levy to satisfy this execution, or any part thereof.

**FEES:**

Basic Fees \$ **40.00**

**Total** \$ **40.00**

  
**ROBERT OWEN**  
Deputy Sheriff